

ARE Revision 8-24-2020

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

3 BEES & ME INC.,

Plaintiff,

-against-

BESPORTBLE, BRITENWAY, BYONEBYE,  
CLISPEED, CYFIE, DEERBB, FUNPA,  
GLOSSRISE, HELY CANCY, HOUSE UR  
HOME, LES YEU, LIBOBO TOYS, LIOOBO,  
LITTOLO, MARPPY, MARXIAO SHOP,  
NEPDOME, PANZISUN, RAINTOAD,  
ROOCHL, SEISSO, SQSYQZ, STONISHI,  
TOYANDONA, WAKAUTO, WE&ZHE,  
XISHEEP, AND 58BH,

Defendants.

Civil Action No. 20-CV-5150 (LJL)

~~PROPOSED~~ CONSENT JUDGMENT AND PERMANENT INJUNCTION

**WHEREAS**, on July 6, 2020, Plaintiff 3 BEES & ME INC. (“3-Bees”), initiated the instant action against Defendant Littolo a/k/a 10661783 Canada Inc. (“Littolo”) for patent infringement under federal patent laws, 35 U.S.C. § 1, *et seq.* (“Lawsuit”);

**WHEREAS**, upon Plaintiff’s application, this Court entered a Temporary Restraining Order (“TRO”) on July 10, 2020;

**WHEREAS**, upon Plaintiff’s application, Plaintiffs have had restraints imposed against Littolo (and other parties who were in active concert or participation with Littolo who received notice of the proposed order, including Amazon.com) from promoting, marketing, advertising, distributing, offering to sell, and selling in the United States the Accused Products.

**WHEREAS**, 3-Bees and Littolo have agreed in a separate Settlement Agreement of the matters at issue between them and to entry of this Consent Judgment and Permanent Injunction; its is hereby **ORDERED, ADJUDGED, AND DECREED THAT:**

1. This Court has personal jurisdiction over Littolo concerning this Lawsuit under Civil Practice Law and Rules Section 302 (a)(1) because Littolo operates Internet Storefronts, including on Amazon.com, through which customers in New York State can, and have purchased the accused products.

2. Plaintiff is the owner by assignment of U.S. Patent No. 884,087 S, entitled “Bathtub Toy Fastener” (“the ’087 Patent”), which was issued by the United States Patent and Trademark Office on May 12, 2020.

3. The ’087 Patent is valid and enforceable.

4. Littolo has been manufacturing, importing, marketing, distributing, selling and offering for sale in the United States certain bathtub basketball toys which allegedly infringe the ’087 Patent, the products which are depicted in Exhibit 1.

5. The TRO entered in this case, and the commands and orders set forth therein, are hereby dissolved and replaced by the commands and orders set forth in this Consent Judgment.

6. Littolo, its officers, directors, agents, servants, employees, attorneys, confederates, and all persons and/or entities acting for, with, by, through, and/or in concert and participation with them, or any of them, are hereby permanently enjoined from engaging in any of the following activities, including manufacturing, importing, exporting, advertising, marketing, promoting, distributing, displaying, offering for sale, and selling any of Accused Products, including those toys identified in Exhibit 1, including but not limited to sales on on Amazon.com and Littolo.com.

7. Littolo must disclose this Consent Judgment and Permanent Injunction to all of its successors and assigns.

8. In the event of any breach of the terms set forth in the Parties’ Settlement Agreement, the party seeking enforcement of the Agreement shall serve a seven (7) day notice of

**ARE Revision 8-24-2020**

default on the breaching party prior to seeking enforcement in a newly-commenced action in the United States District Court for the Southern District of New York, during which time the breaching party may attempt to cure the breach.

9. The parties, by themselves or through their undersigned counsel, hereby consent to the entry of this Final Judgment on Consent.

**IT IS SO STIPULATED AND CONSENTED.**

Dated: August 25, 2020

**3 BEES & ME, INC.**

By: /s/ Oleg A. Mestechkin

Oleg A. Mestechkin

Attorney for Plaintiff

**MESTECHKIN LAW GROUP P.C.**

Dated: August 25, 2020

**Littolo a/k/a 10661783 Canada Inc.**

By: OMID TAYEBA

Attn: Omid Tayeba

4107-33 Charles Street East

Toronto, ON, M4Y 0A2, Canada

**ARE Revision 8-24-2020**

SIGNED this 10 day of December, 2020.

A handwritten signature in black ink, appearing to read "L. Liman", written over a horizontal line.

LEWIS J. LIMAN  
UNITED STATES DISTRICT JUDGE

ARE Revision 8-24-2020

# **EXHIBIT 1 – PRODUCTS**

## **AMAZON ASIN NO. A1LD20EYE6ZWIS**

Littolo Toys	Littolo Toys
<p><b>Mesh Bag Bath Toy</b></p> <p><b>DESIGNED</b> to keep dry toys and the bathroom organized</p> <p>The Mesh Bag is:</p> <ul style="list-style-type: none"> <li>BPA free</li> <li>Breathable</li> <li>Washable</li> <li>Quick dry</li> </ul> <p><b>Bath Basketball Toy</b> INDOORS &amp; OUTDOORS</p> <p><b>and 6 Balls:</b> + 3 waterproof Balls + 3 Smile Water Spray Balls</p> 	<p><b>Fun Bath Toy Basketball Hoop &amp; Ball Set</b></p> <p><b>3 IN 1</b></p> <p><b>6 BALLS</b></p> <p><b>3+ Years</b></p> <p><b>Mode 1:</b> PRESS DOWN ON THE TOP OF THE BAR UNTIL THE SUCTION CUPS ATTACH</p> <p><b>Mode 2:</b> LOOSEN VELCRO STRAPS AND SLIDE HOOP BAR ONTO FAUCET</p> <p><b>TIGHTEN VELCRO STRAPS</b></p> 
<p>For Basketball With Gift Bins, Perfect For Daily Shower, Birthday And...</p> <p><b>3 IN 1</b></p> <p><b>WATERPROOF</b></p> <p><b>BASKETBALL HOOP</b></p> <p>1 X 2.0 INCH BASKETBALL → 3 SMILE, FUNNY WATER SPRAY BALLS</p> <p>1 X 3.5 INCH BANDAGE</p> 	<p><b>3 IN 1</b></p> <p><b>DUAL ATTACHMENT MODE:</b></p> <p><b>6 BALLS</b></p> 
<p><b>WATERPROOF</b></p> <p><b>Strong Suction Cup + Magic Rope</b></p> <p>Bathroom Faucets or Bathroom Wall or Window Glass</p> <p><b>3 X 2.0 INCH BASKETBALL</b> → 3 SMILE, FUNNY WATER SPRAY BALLS</p> <p>1 X 3.5 INCH BANDAGE</p> <p><b>Mesh Bag Bath Toy</b></p> <p><b>BASKETBALL HOOP</b></p> <p><b>DUAL ATTACHMENT MODE:</b></p> 	<p><b>3 IN 1</b></p> <p><b>DUAL ATTACHMENT MODE:</b></p> <p><b>6 BALLS</b></p> 